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**FILED**

*Sept. 21, 2005*

CLERK OF DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
BY [Signature]  
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
STEPHEN STEWART,  
Defendant.

CR. NO. S-04-156 EJG  
MOTION AND ORDER  
DISMISSING WRIT OF HABEAS  
CORPUS

The United States of America, by and through its attorneys,  
McGregor W. Scott, United States Attorney for the Eastern  
District of California, and Kymberly A. Smith, Assistant United  
States Attorney for said district, respectfully requests that  
this Court dismiss the Writ of Habeas Corpus for Raymond Hill, in  
the above captioned case on the basis that the trial date of  
September 26, 2005 has been vacated.

DATED: September 21, 2005

McGREGOR W. SCOTT  
United States Attorney

By: /s/ Kymberly A. Smith  
KYMBERLY A. SMITH  
Assistant U.S. Attorney

O R D E R

IT IS ORDERED THAT the above-captioned Writ of Habeas Corpus  
for RAYMOND HILL be and the same hereby is **DISMISSED**.

DATED:

9/21/05

  
HONORABLE EDWARD J. GARCIA  
United States District Judge